



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

DEC 19 2012

The Honorable Tom Torlakson
State Superintendent of Public Instruction
California State Board of Education
1430 N Street
Sacramento, CA 95814-5901

Dear Superintendent Torlakson:

I am writing in response to California's request for a waiver to extend the period of availability of fiscal year (FY) 2011 School Improvement Grants (SIG) program funds authorized under Section 1003(g) of the Elementary and Secondary Education Act of 1965 (ESEA) and made available under Public Law 111-161, the Department of Education Appropriations Act, 2010. Under Section 421(b) of the General Education Provisions Act (GEPA) (20 U.S.C. § 1225(b)) (also known as the "Tydings Amendment"), whereby FY 2011 SIG funds must be obligated by September 30, 2013.

After reviewing the information provided by California in support of its waiver request, I am granting a waiver of Section 421(b) of GEPA to extend the period of availability for California's FY 2011 SIG allocation until September 30, 2014. I am approving this waiver because it will allow California to use its FY 2011 funds as continuation grants for the local education agencies (LEAs) funded during the competition conducted in 2011-12 school year.

This waiver is granted on the following conditions:

- California will require each local education agency (LEA) that receives the SIG FY 2011 funds to expend them in accordance with the final requirements for the SIG program (75 Fed. Reg. 66363 (Oct. 28, 2010));
- California will not combine its FY 2011 SIG funds with its FY 2010 SIG funds to make larger awards, and will use FY 2011 funds for second year awards to schools that received FY 2010 SIG funds for the first year of implementation; and
- After receiving its FY 2012 SIG funds, California will request a waiver to extend the period of availability of those funds until September 30, 2015.

I appreciate the work you are doing to improve California's lowest-performing schools and to provide a high-quality education for all of its students. If you have any questions, please contact Janine Rudder at janine.rudder@ed.gov or Carlos McCauley at carlos.mccauley@ed.gov.

Sincerely,

Handwritten signature of Deborah S. Delisle in cursive.
Deborah S. Delisle

cc: Christine Swenson

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